

SENATE BILL 2251

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3; Title 4, Chapter 29; Title 8; Title 55, Chapter 17; Title 56, Chapter 1; Title 62; Title 63 and Title 68, relative to the functioning of government.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-3-1304(a), is amended by deleting the existing language in its entirety and substituting instead the following:

(a) All state regulatory boards are attached to the division of regulatory boards, which is authorized to administer all of the administrative functions and duties of the regulatory boards, except those discretionary regulatory duties and powers vested by law in the board members. The regulatory boards attached to the division are as follows:

- (1) Alarm systems contractors board;
- (2) Auctioneer commission;
- (3) Board for licensing contractors;
- (4) Board of accountancy;
- (5) Board of barber examiners;
- (6) Board of cosmetology;
- (7) Board of examiners for architects and engineers;
- (8) Board of examiners for land surveyors;
- (9) Board of funeral directors and embalmers;
- (10) Board of pharmacy;
- (11) Collection service board;
- (12) Home improvement commission;
- (13) Motor vehicle commission;

- (14) Private investigation and polygraph commission;
- (15) Private probation services council;
- (16) Real estate appraiser commission;
- (17) Real estate commission; and
- (18) All other boards, commissions and agencies created to regulate

professions, vocations and avocations in this state, except the board of law examiners; the boards or commissions attached to the department of health, the department of labor and workforce development, and the department of environment and conservation; other boards, commissions or agencies organized within the State of Tennessee.

SECTION 2. Tennessee Code Annotated, Section 56-1-302(a)(9), is amended by deleting the existing language and substituting instead the following language:

(9)(A) Post a monthly disciplinary report which shall list all disciplinary actions taken by each board or commission during the prior month. The report shall list, by board or commission, the following:

- (i) Name, business name and professional address of any person disciplined the prior month;
- (ii) Disciplinary action taken;
- (iii) Brief description of the laws and rules violated; and
- (iv) The amount of any civil penalty imposed.

(B) The disciplinary report for the prior month shall be published on the department of commerce and insurance, division of regulatory boards, website by the fifteenth (15th) of the following month and shall be made available to any person upon request.

SECTION 3. Tennessee Code Annotated, Section 62-2-207, is amended by deleting the language in subdivision (b) in its entirety.

SECTION 4. Tennessee Code Annotated, Section 62-4-107, is amended by

deleting the language in subdivision (b) in its entirety.

SECTION 5. Tennessee Code Annotated, Section 62-6-110, is amended by deleting the language in subdivision (c) in its entirety.

SECTION 6. Tennessee Code Annotated, Section 62-39-320, is repealed.

SECTION 7. Tennessee Code Annotated, Section 63-10-307(a) is amended by adding the following language immediately following the existing language:

The designated agents of the pharmacist members of the board may employ the following methods to inspect a pharmacy, which include, but are not limited to: reviewing and copying prescriptions, patient profiles and incident reports; taking an inventory of all prescription drugs, including controlled substances; and requesting any and all documents, audio tapes, video tapes, diskettes, compact discs, and hard-drive information relating to an inspection or an investigation.

SECTION 8. This act shall take effect upon becoming law, the public welfare requiring it.